

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

GARDEN CITY BOXING CLUB, INC.,
as Broadcast Licensee of the **November 8, 2003,**
Tarver/Jones Program,

Plaintiff,

-against-

Report of Parties' Planning Meeting
Civil Action No. 04-10458 NG
Honorable Nancy Gertner

“JOHN DOE,” said name being fictitious, the true name being unknown to Plaintiff, Individually, and as officer, director, shareholder and/or principal of KEVIN’S CULTURAL CORNER, INC., d/b/a KEVIN’S BAR AND GRILLE, a/k/a KEVIN’S BAR & GRILLE, and KEVIN’S CULTURAL CORNER, INC., d/b/a KEVIN’S BAR AND GRILLE, a/k/a KEVIN’S BAR & GRILLE,

Defendants.

1. Pursuant to Fed. R. Civ. P. 26 (f), a meeting was held on May 28, 2004, via telephone and was attended by the following:

Rosalie A. Wallis, Esq.	Attorney for Plaintiff
Joseph M. Sano, Esq.	Attorney for Defendants

2. Pre-Discovery Disclosures. Plaintiff and the Defendants will served the information required by Fed. R. Civ. P. 26 (a) (1) on or before **June 11, 2004**.

3. Discovery Plan. The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on the following subjects:

As to Plaintiff:

1) Operation and revenues of the defendants on and about November 8, 2003.

- 2) The manner, extent and nature of the telecommunications equipment present at the defendants' establishment on said date, including cable and/or satellite service at or adjacent to the defendants' premises.
- 3) Employees and witnesses present on the evening in question.

As to Defendants:

Defendants will seek discovery as is relevant and necessary to the defense of the matter.

- b. All discovery commenced in time to be completed by **September 10, 2004**.
- c. Maximum of 15 interrogatories by each party to any other party to be answered by no later than **August 6, 2004**.
- d. Requests for admission by Plaintiff to be served by **June 18, 2004**. Requests for admission by Defendants to be served by **June 18, 2004**.
- e. Maximum of four (4) depositions by Plaintiff and Defendants.
- f. Each deposition is limited to a maximum of two (2) hours, unless extended by agreement of the parties.
- g. Plaintiff and Defendant shall designate Experts by **August 31, 2004**.
- h. Supplementation under Rule 26(e) due within 15 days of receipt of information or material.

4. Other Items.

- a. The parties respectfully request a telephonic conference with the Court before entry of the scheduling order.
- b. The parties request a pretrial conference in **November, 2004**.
- c. Parties shall be allowed until **July 2, 2004**, to join additional parties and until **July 2, 2004**, to amend pleadings.
- d. All dispositive motions should be filed by **October 22, 2004**.
- e. Settlement negotiations are ongoing Judicial intervention may or may not be

required, the parties will promptly advise the Court should negotiations break down.

- f. Final list of witnesses and exhibits under Rule 26 (a) (3) should be due:
 - 1. From Plaintiff by **November 12, 2004.**
 - 2. From Defendants by **November 12, 2004.**
- g. Parties should have 15 days after service of final lists of witnesses and exhibits to list objections under Rule 26 (a) (3).
- h. The case should be ready for trial by **December 17, 2004**, and at this time is expected to take approximately **one** (1) day.

Dated: June 2, 2004

/s/ Wayne D. Lonstein

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/s/ Joseph M. Sano

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